

**REMARKS**

Reconsideration and allowance of this application are respectfully requested in view of the above Amendment.

The amendments to claims 8 and 22 are further presented in order to more clearly define over the art of record used in the Final Rejection of May 20, 2004 in conjunction with the accompanying filing of a Request for Continued Examination (RCE).

In addition to the remarks incorporated herein by reference from the Response filed on August 20, 2004 and the Amendment filed on February 24, 2004, Applicant's respectfully submit that amended claims 8 and 22 still further define over the art of record.

Claims 8, 9, 22, 24 and 27 were rejected under 35 U.S.C. §103 as being unpatentable over Gordon et al., in view of Wich both of record and both previously discussed in the above-mentioned Amendment and Response.

Aside from the distinguishing features argued previously, Applicant's also submit that the present invention is directed an electrically controlled valve provided as a switching valve and having an arrangement which optimizes flow from a high pressure source in order to avoid cavitation resulting from the high pressure through the valve.

In order to more precisely define over the references not only with respect to the structure of the valve but also how the functioning of the valve resulting from that structure is related to its particular application, Applicant's have amended claims 8 and 22 to recited that the subject matter is an electrically activated switching valve for a high pressure pump and that the valve stem 8 is positioned between a high pressure line 12 and a return flow duct of the high pressure pump. Additionally, the activating device functions so that when the valve stem and the valve member interact with the valve seat 25 a determination is made of the flow from the high pressure line 12 through the valve. Additionally, the flow optimizing guide surface is recited as being configured to avoid cavitation resulting from flow from the high pressure line through the valve.

The particular arrangement whereby the valve stem is positioned between a high pressure line and a return flow duct of the high pressure pump is not shown or disclosed by either the reference to Gordon or the reference to Wich.

In summation, the present invention provides an electrically actuated switching valve for a high pressure pump wherein the valve is positioned between the high pressure line of the pump and the return duct of the pump and the particular structure functions to avoid cavitation resulting from the high pressure line flow.

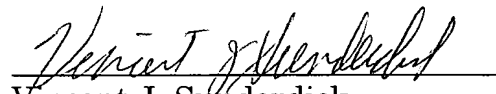
Therefore, Applicant's respectfully request that this application containing claims 8, 9, 22, 24 and 27 be allowed and be passed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #03873848700).

Respectfully submitted,

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